

## **REMARKS**

In view of the above amendments and following remarks, reconsideration and further examination are requested.

Please replace the original specification and abstract with the enclosed substitute specification and abstract. No new matter is added by the substitute specification.

The instant invention pertains to an apparatus operating system for controlling an apparatus based on an operation state of another apparatus. Such an operating system is generally known in the art, but suffers some drawbacks as expressed on pages 1-4 of the original specification. Applicants have addressed and resolved these drawbacks by providing a unique apparatus operating system.

Specifically, the inventive apparatus operating system comprises at least two apparatuses which are to provide output of the same type, and a control server capable of communicating with each of the at least two apparatuses. Each of the at least two apparatuses includes a communication section for transmitting to the control server a notification signal indicative of a pending change or a change in an output state of this apparatus. The control server includes

(i) a control rule storage section having stored therein a control rule which associates an output state of one of the at least two apparatuses with an output state to be taken by another of the at least two apparatuses when the one of the at least two apparatuses is in the output state thereof,

(ii) a location-related information acquiring section for acquiring location-related information which is set in association with a location of each of the at least two apparatuses,

(iii) a determination section for receiving the notification signal from the one of the at least two apparatuses, and in response to the notification signal, determining an output state to be taken by the another of the at least two apparatuses based on the control rule and the location-related information, and

(iv) an operating section for operating the another of the at least two apparatuses so as to transition into the output state determined by the determination section.

New claim 12 is believed to be representative of Applicants' inventive apparatus operating system. New claim 28 is representative of the control server of Applicants' inventive apparatus

operating system. New claim 29 is representative of a method for use in Applicants' inventive apparatus operating system. New claim 30 is representative of a program usable in Applicants' inventive apparatus operating system. And, new claim 31 is representative of an apparatus and the control server of Applicants' inventive apparatus operating system.

Claims 1-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenthal in view of Chou et al. This rejection is respectively traversed, and the relied upon references are not applicable with regard to the currently presented claims for the following reasons. Please note that claim 12, basically corresponds to former claim 1 and accordingly, the relied-upon references will be addressed as they pertain to the former claim 1.

In supporting the rejection of claim 1, the Examiner took the position that Rosenthal includes at least two apparatuses, wherein each apparatus includes a communication section for transmitting to a control server a notification signal indicative of a pending change or a change in an output state of the apparatus. This position is respectively submitted to be in error, because it is only the telephone of Rosenthal that includes a communication section for transmitting to the control server a notification signal.

In this regard, when the telephone rings, the control server is notified, and functions to stop supply of power to additional apparatus such as a TV or radio. Then, after the headset of the phone is place back onto the cradle, and after a time period of eight seconds, power is again supplied to the radio or television. There is no indication in Rosenthal that the control server is provided with any information as to whether the television or radio is in a state of having power supplied thereto. Thus, there is no communication section in the television or radio that transmits any signal to the control server indicative of an output state thereof. Indeed, the control server has no need to know whether power is currently being supplied to the radio or television. Chou et al. does not resolve this deficiency of Rosenthal, and accordingly, claim 12 is not obvious over a combination of these references, whereby claims 12-27 are allowable.

For reasons analogous to those expressed above, claims 31-32 are also allowable over a combination of Rosenthal and Chou et al.

Claims 28, 29 and 30 each require the same general feature of not changing an output state of an apparatus if a distance between this apparatus and another apparatus is equal to or greater than a predetermined distance. Specifically, from location-related information is derived

a distance between the apparatus having transmitted the notification signal and the apparatus that is to have its output state changed. If the derived distance is equal to or greater than a predetermined distance, it is determined not to change the output state of the apparatus. Please note that this feature was present in claim 5, and accordingly, the rejection of claim 5 will be addressed as it pertains to these claims.

In rejecting claim 5, the Examiner relied upon Chou, column 2, lines 7-15, for concluding that the invention of claim 5 would have been obvious to one having ordinary skill in the art. In this portion of Chou it is disclosed that judging from a location of a microphone (which detects noise), a location of a noise maker is determined. Thus, relying on the teachings of Chou, a distance between the microphone and the noise maker can possibly be determined; however, Chou teaches nothing about determining a positional relationship between an apparatus that is to have its output state changed and a sound-generating apparatus (the noise maker). Indeed, there is no discussion in Chou of in any way controlling the microphone based on the distance between the microphone and the noise maker.

Accordingly, because neither Chou nor Rosenthal disclose or suggest changing an output state of an apparatus based on (1) a notification signal provided from one apparatus, and (2) a distance between the apparatuses, none of claims 28-30 is obvious over a combination of these references, whereby these claims are allowable.

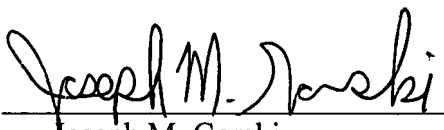
For reasons analogous to those expressed above claims 13 and 32 are believed to be allowable in their own right, because these claims also include the feature of former claim 5.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

Kei YASUDA et al.

By:   
Joseph M. Gorski  
Registration No. 46,500  
Attorney for Applicants

JMG/ats  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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